

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

UNITED STATES OF AMERICA,

v.

(1) GRACE HOPE YORK.

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P-23-CR-00039-DC

ORDER

BEFORE THE COURT is United States Magistrate Judge David B. Fannin's Report and Recommendations (R&R)¹ filed in the above-captioned cause on June 6, 2023, in connection with Defendant's Motion to Withdraw Plea of Guilty.² No objections to the R&R have been filed and the deadline to do so has passed. After due consideration, the court **ADOPTS** the R&R in its entirety and therefore **DENIES** Defendant's Motion to Dismiss.³

Any party who desires to object to a Magistrate Judge's findings and recommendations must serve and file written objections within fourteen days after being served with a copy of the findings and recommendations.⁴ Failure to file written objections to the R&R within fourteen days after being served with a copy bars that party from de novo review by the district court of the proposed findings and recommendations.⁵ Moreover, except upon grounds of plain error, failure to object shall also bar the party from appellate

¹ Doc. 37.

² Doc. 35.

³ *Id.*

⁴ 28 U.S.C. § 636(b)(1).

⁵ *Id.*

review of proposed factual findings and legal conclusions accepted by the district court to which no objections were filed.⁶


To date, the parties have filed no objections to the Magistrate Judge's R&R. After reviewing the Magistrate Judge's R&R for clear error, the Court finds it to be neither clearly erroneous nor contrary to law.⁷

For the reasons stated above, the Court **ACCEPTS** the Magistrate Judge's findings and recommendations and **ADOPTS** the R&R in its entirety.

Accordingly, the Court **DENIES** Defendant's Motion to Withdraw Plea of Guilty.⁸

It is so **ORDERED**.

SIGNED this 25th day of June, 2023.



DAVID COUNTS
UNITED STATES DISTRICT JUDGE

⁶ *Id.*; *Thomas v. Arn*, 474 U.S. 140, 150–53 (1985); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989) (per curiam).

⁷ 28 U.S.C. § 636(b)(1)(C).

⁸ Doc. 35.